

GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public Services – Revenue Departments – Warangal District -Irregularities in excess drawal of rice in Food For Work Programme in Gudur Mandal, Warangal District - Disciplinary Proceedings against Sri T. Ramaswamy, formerly Mandal Revenue Officer (now retired) - Imposition of punishment of 50% cut in pension for a period of three (3) years besides recovery of 75% cost of 200 quintals rice diverted to black market – Orders – Issued.

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REVENUE (VIGILANCE-II) DEPARTMENT

G.O.Rt.No. 732

Dated:09.05.2012.

Read the following:-

- 1) From the C.C.L.A., Ref.No.VSI(5)/2305/2005, dt.26.04.2007 & 30.01.2008.
- 2) G.O.Ms.No.579, Revenue (Vig.II) Department, dt.04.04.08.
- 3) G.O.Rt.No.850, Revenue (Vig.II) Department, dt.04.04.2008.
- 4) Explanation of Sri T.Ramaswamy, M.R.O. (retired), dt.6.05.08.
- 5) G.O.Rt.No.1725, Revenue (Vig.II) Department, dt.4.9.2008.
- 6) From the C.C.L.A., Lr.Ref.No.VSI(5)/2305/05, dt.31.08.2010.
- 7) Govt. Memo No.24908/Vig.II(2)/07-4, dt.16.09.2010.
- 8) Representation of Sri T.Ramaswamy, former M.R.O. (now retired), dt.06.10.2010.
- 9) Govt. Memo No.24908/Vig.II(2)/07-5, dt.22.12.2010.
- 10) Representation of Sri T.Ramaswamy, former M.R.O. (now reted.), dt.10.01.2011.
- 11) Government Memo No.24908/Vig.II(2)/2007-6, dt.14.3.2011.
- 12) From the Collector, Warangal, Rc.No.A5/3949/07, dt.6.01.2012.
- 13) Government Letter No.24908/Vig.II(2)/2007-8, dt.17.02.2012.
- 14) From the Secretary, APPSC, Hyderabad, Lr.No.514/RT/3//2012, dt.12.04.2012.

In the reference 1st read above, the Chief Commissioner of Land Administration has reported that Sri T.Ramaswamy, while working as Mandal Revenue Officer, Gudur Mandal, Warangal District has committed certain irregularities in distribution of rice under Food for Work Programme and requested the Government to initiate disciplinary proceedings against him under Rule 9(2) (b) of Andhra Pradesh Revised Pension Rules, 1980, as Sri T.Rama Swamy, former Mandal Revenue Officer retired from service on superannuation. Hence, Government have initiated disciplinary action and framed charges against Sri T. Ramaswamy, former Mandal Revenue Officer (now retired) under Rule 9 of Andhra Pradesh Revised Pension Rules, 1980 vide G.O.Ms.No.579, dated 04.04.2008 and G.O.Rt.No.850, dated 04.04.2008. In the reference 4th read above, Sri T. Ramaswamy, former Mandal Revenue Officer (now retired) has submitted his explanation and Government have appointed the Joint Collector, Warangal as Enquiry Officer to conduct enquiry into the charges framed against him vide G.O.Rt.No.1725, dated 04.09.2008. After conducting the enquiry, the Enquiry Officer & Joint Collector, Warangal has submitted enquiry report, wherein, he has held that the Charged Officer was guilty of not taking action for recovery of excess quantity of rice released as per the Collector's orders issued vide letters, dated 22.10.03 and 27.12.2003. A copy of the Enquiry Officer's report was communicated to the Charged Officer to submit his representation if any, on the findings of the enquiry officer vide Government Memo 7th read above and in pursuance to which the Charged Officer has submitted his representation in the reference 8th read above.

(P.T.O.)

2. Government, after careful examination of the matter and keeping in view of the findings of the enquiry officer and the representation of the Charged Officer, have provisionally decided to impose a punishment of 50% cut in pension for a period of three (3) years, besides recovery of 75% of cost of 200 quintals of rice, which the Charged Officer was found responsible for diversion of the said Quantum of rice to black market on Sri T.Ramaswamy, former Mandal Revenue Officer (now retired) and accordingly, in the reference 9th read above, a show cause notice was issued to Sri T.Ramaswamy, former Mandal Revenue Officer, Gudur Mandal, Warangal District (now retired) to submit his representation as to why the above proposed punishment should not be imposed on him within 15 days of the date of receipt of the Memo failing which it will be construed that he has no representation to offer and further action will be taken in the matter based on the Inquiry report vide reference 9th read above.

3. In the reference 10^h read above, Sri T.Ramaswamy, former Mandal Revenue Officer (now retired) has submitted his representation dated 10.01.2011 stating that the lapses mentioned in the two charges pointed out slack supervision/ negligence and do not attribute misuse/ diversion of rice, which was also attributed to the other two charged officers and as soon as the mistake came to his notice, he has taken all preventive measures by lodging a complaint before the Station House Officer and it shows his integrity and alertness in discharging his legitimate duties. The Inquiry Authority himself concluded that he might have done it due to oversight and tried to correct matters by addressing the Sub-Inspector of Police, Gudur. Hence, the observation that he was guilty of not taking action for recovery of excess quantity of rice release is not correct. Further, the Inquiry Authority has not established the diversion of rice to black market and it has to be construed that the rice was distributed in excess, which is recoverable from the recipients. Therefore, it is unfair to recover the cost of the rice from the officials based on presumptions. Finally, he has stated that he did not commit any irregularity as alleged in the charges and that he was not guilty of the charges and requested to consider his submission on humanitarian grounds and drop further action in the matter.

4. Government, after careful examination of the matter, observed that the explanation submitted by the Accused Officer is not convincing and the records clearly shown that the C.O. on receipt of the requisition on 10.08.2004 has returned the requisition on the same day with an endorsement on it " returned to the MPDO in original that the Revenue Divisional Officer, Narsampet has warned during all MROs meeting held on 7/2004 that there is no issue of R.O. for the previous past year proceedings. Even the Kothagudem Mandals R.O. issued stopped. Seriously warned in this matter". whereas the C.O. has acted in deviation of his own endorsement made on the requisition on 10.08.2004 and later on 21.08.2004, on the same requisition, he made an endorsement to release the rice in the name of Panchayat Secretary knowing fully well that such an endorsement is contrary to the laid down procedure and was also in violation of the circular instruction of District Collector, Warangal and the action of the C.O. has facilitated the diversion of 200 Quintals of rice to the black market though the maximum quantity of rice required for an FP Shop would be of the order of 80-90 Quintals, and average requirement is only 50 Quintals. The element of negligence and slack supervision was thus clearly established. Government have therefore concluded that the Accused Officer has committed irregularities in distribution of rice under Food for Work Programme and hence decided to confirm the provisional decision i.e. to impose a punishment of 50% cut in pension for a period of three (3) years on Sri T.Rama Swamy, former M.R.O. (now retired) besides recovery of 75% of cost of 200 quintals of rice diverted to the black market, after due

consultation with the A.P. Public Service Commission. In the reference 13th read above, the Secretary APPSC has been requested to place the proposal of Government before the Commission for its concurrence and in the reference 14th read above, the Secretary, APPSC communicated the concurrence of the Commission to impose the said penalty against the C.O. Government after careful examination of the matter hereby order to impose the punishment of 50% cut in pension for a period of three (3) years on Sri T.Rama Swamy, former M.R.O. (now retired) besides recovery of 75% of cost of 200 quintals of rice diverted to black market from him.

5. The Chief Commissioner of Land Administration, Hyderabad is directed to take necessary action in the matter accordingly.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

ASUTOSH MISHRA,
PRINCIPAL SECRETARY TO GOVERNMENT.

To

Sri T.Ramaswamy, Mandal Revenue Officer (Retired)
through Chief Commissioner of Land Administration, Hyderabad.
The Chief Commissioner of Land Administration, Hyderabad.

Copy to:

The Collector, Warangal.

The District Treasury Officer, Warangal

The Accountant General, A.P., Hyderabad.

The Secretary, Andhra Pradesh Public Service Commission, Hyderabad.

The Government Pleader for Revenue (Services),

A.P.Administrative Tribunal, Hyderabad.

S.c./ S.f.

// forwarded :: by order //

SECTION OFFICER.